

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

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JANE DOE,

Case No. 8:17-cv-265

Plaintiff,

vs.

**DEFENDANT’S RENEWED MOTION  
FOR JUDGMENT AS A MATTER OF  
LAW OR ALTERNATIVELY, NEW  
TRIAL**

BOARD OF TRUSTEES OF THE  
NEBRASKA STATE COLLEGES, a  
Political Subdivision of the State of  
Nebraska,

Defendant.

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Defendant, the Board of Trustees of the Nebraska State Colleges (the “Defendant”), pursuant to Federal Rule of Civil Procedure 50(b), hereby renews its Motion for Judgment as a Matter of Law or Alternatively, New Trial. The evidence presented at trial fails to establish: (1) that the Defendant was deliberately indifferent when it responded to Jane Doe’s (the “Plaintiff”) Title IX report of sexual harassment; (2) that there was a causal nexus between the Defendant’s allegedly deliberately indifferent response and the Plaintiff’s experience of sex harassment; or (3) that the Plaintiff suffered sex harassment after she made her Title IX report. Each of the foregoing is an element of the Plaintiff’s Title IX claim, so the Defendant is entitled to judgment as a matter of law.

Alternatively, and for the reasons stated in Defendant’s Brief in Support of Defendant’s Renewed Motion for Judgment as a Matter of Law or Alternatively, New Trial, which the Defendant incorporates herein by reference, the Defendant should receive a new trial.

DATED this 11<sup>th</sup> day of January, 2022.

BOARD OF TRUSTEES OF THE  
NEBRASKA STATE COLLEGES,  
Defendant,

BY: /s/George E. Martin III  
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ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on January 11, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

Maren Lynn Chaloupka  
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/s/ George E. Martin III